



Entered on Docket
May 28, 2010

Hon. Linda B. Riegle
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,¹
Debtors.

Case No.: BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

Affects:

☐ All Debtors
☒ Affects the following Debtor(s):
APACHE FRAMING LLC
BRAVO LLC
GUNG-HO CONCRETE LLC
THE RHODES COMPANIES LLC
RHODES DESIGN AND DEVELOPMENT
CORPORATION

Hearing Date: May 11, 2010
Hearing Time: 1:30 p.m.
Courtroom 1

**AMENDED ORDER RE DEBTORS' SECOND OMNIBUS OBJECTION TO INTERNAL
REVENUE SERVICE CLAIMS PURSUANT TO SECTION 502(b) OF THE
BANKRUPTCY CODE, BANKRUPTCY RULES 3003 AND 3007 [DOCKET NO. 744]**

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf and Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 Upon consideration of the *Debtors' Second Omnibus Objection to Internal Revenue*
 2 *Service Claims Pursuant to Section 502(b) of the Bankruptcy Code, Bankruptcy Rules 3003 and*
 3 *3007* [Docket No. 744] (the "Objection"),² filed by The Rhodes Companies, LLC and its
 4 affiliated debtors (collectively, the "Debtors"), IT IS HEREBY ORDERED THAT:

5 1. Claim number 1-2 of the Internal Revenue Service in the amount of \$399.96 filed
 6 against Gung-Ho Concrete LLC is hereby allowed.

7 2. The Objection to Claim number 1 of the Internal Revenue Service filed against
 8 Apache is dismissed without prejudice to the Reorganized Debtors to reassert such Objection if
 9 the Claim is not amended or resolved consensually between the parties.

10 3. Claim number 7-1 of the Internal Revenue Service filed against Bravo LLC is
 11 moot given that the IRS has filed an amended claim after the Objection was filed. This Order
 12 shall be without prejudice to the Reorganized Debtors to object to the amended claim.

13 4. The remainder of the claims that are the subject of the Objection have been
 14 resolved since they have been amended to \$0.00 by the IRS.

15 5. This Court shall retain jurisdiction to hear and determine all matters arising from
 16 the implementation of this Order.

17
 18
 19 Submitted by:
 20 DATED this 12th day of May 2010.

21 By: /s/ Zachariah Larson
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By: /s/ Virginia Lowe, Esq.
 Virginia Cronan Lowe, Esq.
 Trial Attorney, Tax Division
 U.S. Department of Justice

² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Objection.

LR 9021 Certification

In accordance with LR 9021, counsel submitting this document certifies as follows
(check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☒ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

Submitted by:

DATED this 12th day of May 2010.

By: /s/ Zachariah Larson

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